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PART III.

Legislative Measures and Rules thereunder.

No. 1058-41-2—*Ml. dated Bangalore* 5—6*th August* 1904.

The following draft Bye-laws framed by the Trustees for the Improvement of the City of Mysore, are published under clause (2) of Section 39 of the Mysore City Improvement Regulation, III of 1903, and will be considered by Government three weeks after the first publication.

By Order,
B. K. VENKATAVARADA IYENGAR,
Secy. to Govt., Gen. & Rev. Depts.

BUILDING BYE-LAWS FRAMED IN ACCORDANCE WITH SECTION 39 OF THE CITY OF MYSORE IMPROVEMENT REGULATION (III OF 1903.)

In these "Bye-Laws" the word "Building" shall mean any house, hut, shed, wall or enclosures, roofed or otherwise, whether used for the purpose of human habitation or otherwise.

"Street" shall also include side drains.

Mode of giving notice of intention to build.

1. Every person intending to erect or re-erect any building shall give notice in writing of his intention to the Chairman of the Board of Trustees.

Documents to accompany the notice.

2. (1) Every such person shall submit with such notice as aforesaid, a site plan of the land drawn to scale by one of the Board's Surveyors, of not less than 10 feet to one inch showing :—

(*a*) The position, nature and use of all existing buildings thereon, if any, and of the building and appurtenant out-buildings to be erected on the land.

(*b*) The area to be occupied by the proposed building and out-buildings on the land.

(*c*) The names (if any or description of the adjacent roads, streets, bridges, culverts, or buildings and

(*d*) The number in the maps and statements prepared by the Improvement Committee of the plot and the name or numbers of the block and street or road in which the land is situated.

(2) (*a*) When the land belongs to the Government or the Municipality or Trust, every such person shall submit with such notice as aforesaid, a certified copy of the document or documents authorising him to occupy the land and on the requisition of the Trustees, the original document or documents also, if the Trustees desire to inspect it or them.

(*b*) Such certified copies as aforesaid should be signed by the Deputy Commissioner or by the President or Vice-President of the Municipality or the Chairman as the case may be.

(3) (*a*) Every such person shall submit with such notice as aforesaid, plans, sections, and elevations in duplicate drawn to a scale of not less than 5 feet to one inch by the Board's Surveyor showing the levels at which the foundation and also the lowest floor or plinth are proposed to be laid with reference to the crown level of the adjacent roads or streets and the level of the side on which the house is to be built.

(*b*) The aforesaid plans and sections shall further show the position of the line or frontage of the proposed building with reference to the adjacent side drain of the street or road which the building faces, or if there be no such side drain with reference to the central line of such street or road.

(4) Every such person shall, when required by the Chairman, submit with such notice as aforesaid, specifications of the work intended to be constructed and the materials to be used for the foundations, walls, and roofs, respectively.

3. If any person has any doubt or difficulty as to the true intent or meaning of any matter connected with these rules or the requirements thereof, he may, before giving notice in writing of his intention to erect or re-erect any building, apply to the Chairman who shall upon receipt of such application give the said person such information as in the circumstances may be necessary.

Filth to be removed from new foundations.

A person who shall construct a new building shall not construct any new foundation of such building on any site which shall have been filled up with or shall have been used as a place for depositing excrementitious matter or carcasses of dead animals or other filthy or offensive matter, until such matter shall have been properly removed to the satisfaction of the Chairman or shall in his opinion have become innocuous.

As to giving of certain notices by persons intending to construct Buildings.

Notice of covering up foundations.

Every person who shall erect a building within the meaning of Sections 115, 116 and 148 of Municipal Regulations shall, before proceeding to fill in any foundation of a building, deliver or send, or cause to be delivered or sent, to the Chairman at his office, notice in writing in which shall be specified the date on which such person will proceed to fill in such foundation.

Level of Plinth.

Every person who shall erect a new domestic building shall cause the same to be built with a plinth not below 1¼ feet above the general level of the ground around and 1½ feet above top of side drain.

Every person who, under the provisions of the previous sections, may be required to furnish to the Chairman any plan or other document, shall furnish duplicate copies of every such plan or other document which he may be so called upon to furnish, and one of such duplicate plans or other documents shall be returned to the person signed by the Chairman signifying his approval of the plan or otherwise. The Board's Surveyor will be ordered to prepare the necessary surveys and levels on a payment of ¼ per cent on the estimated cost of the building.

Foundations of walls.

No new building shall be erected by any person, the foundation of the wall of which along the road is not 1½ feet from the side drain. Every wall and every post or posts of the ground floor of such building shall rest on the solid ground, or upon a sufficient thickness of concrete or upon some solid and sufficient sub-structure as a foundation, footings being provided for the foundations when necessary.

Open spaces around dwelling houses.

Every person who shall erect a new dwelling-house shall so construct such dwelling-house, that the whole or at least one side of every room thereof intended to be inhabited shall either be an external wall abutting on the open air or abut on an interior open space having an area equal to not less than $\frac{1}{9}$th of the aggregate floor area of all the rooms abutting thereon, and being not less in any direction than 6 feet across.

He shall provide between at least two of the external walls and the boundary line of the owner's premises except where either of such walls faces a street of not less than 15 feet in width, an open space extending throughout the entire length of such wall at least 6 feet wide. He shall cause every interior open space required by this Bye-Law to be constructed and kept free from any erection thereon and open to the sky and no cornice, roof, or weather shade shall project or overhang the said open space more than one foot six inches on any side thereof, provided that such connecting passages may be allowed as the Chairman shall deem necessary, such passages being open one or both sides.

No building shall be allowed in extensions on sites measuring less than 30 feet by 50 feet.

Height of rooms.

He shall construct every room intended to be inhabited in such building except a room in the roof thereof so that the same shall be in every part at least 8 feet in height from the floor to the ceiling.

He shall so construct every such room in the roof of such building that the same shall have an average height of at least 7 feet from the floor to the ceiling.

The eves of buildings, sunshades to windows, water spouts to drain roof water shall not project beyond the side street drain adjoining the house.

The steps to get up the plinth from the road shall not project beyond the outer edge of the side drain of the road.

No sunshades for shops either temporary or permanent shall be erected beyond the outer edge of the side drain of the road.

Superficial area of rooms.

He shall so construct every such room that the same shall have a clear superficial area of not less than 80 sq. feet except when the room communicates with another room by a partition wall not carried up to the roof or in such a manner that communication cannot be cut off.

Ventilation of Rooms.

He shall so construct every such room that the same shall be ventilated by means of doors or windows which open directly into the external air and have an aggregate opening equal to not less than 1/8th of the floor space.

Conservancy of the Premises.

Every householder is bound to conserve the house occupied by him and the grounds attached to the same. All premises must be provided with a suitable drain constructed in accordance with specification supplied by the Chairman for the drainage of the house and compound for the removal of sullage water and sewage to the nearest existing street drain commanded by the level of the house and the grounds pertaining thereto. The owner of the house is bound to construct such drains within 30 days from the date of the notice served on him by the Chairman calling on him to construct the required drain or drains in default, the Board is competent to order the construction of the required drain or drains at the owner's risk and cost.

Huts, Sheds, or Ranges.

Every person who shall erect huts or sheds or ranges or blocks of huts or sheds, whether the same are to be used as dwellings or stables or for any other purpose, shall, if the Chairman so require, build the same.

(1) So that they may stand in regular lines with a free passage or way in front of and between every two lines of such width as the Chairman may direct for ventilation and for facilitating scavenging;

(2) With such and so many privies, latrines or urinals, and such means of drainage as the Chairman may require; and

(3) At such a level as will suffice for the means of drainage required.

With respect to the construction of Privies.

Every person who shall erect a new building shall, in connection with such building, construct a privy or such number of privies (as may be necessary) as shall be prescribed in each case by the Chairman.

Privy Accommodation.

A person who shall construct a new privy whether in connection with a building or not shall construct such privy upon such site or in such position only as shall be approved by the Chairman.

Site of Privies.

Proximity of Privies to Water-supply.

A person who shall construct a privy in connection with a building shall not, without the written permission of the Chairman, construct such privy within a distance of 20 feet from any well, spring, tank, or stream of water used or likely to be used by man for drinking or domestic purposes, or for manufacturing drinks for the use of man or otherwise in such a position as to render any such water liable to pollution.

Air space round Privies.

Every person who shall construct a privy in connection with a building shall so construct the same as to leave an external air space of not less than 3 feet in width and open to the sky, surrounding such privy on every side thereof except the entrance side where any gallery or passage communicating with such privy, shall be not less than 2 feet in width, and shall be open to the external air on both sides.

Ventilation of Privies.

Every person who shall construct a privy in connection with a building shall provide such privy with a sufficient opening or with sufficient openings for ventilation to the satisfaction of the Chairman, and such opening or openings shall be as near to the top as practicable and shall communicate directly with the external air.

No room to be erected on a Privy.

No person shall construct over a privy whether old or new, any room or structure of any description except another privy or a bathing place or a bath room.

Cleaning of Latrines and Manure Pits.

Uncleaned latrine pits, sewage sumps, within the precints and in proximity to a house shall be cleaned and filled up within two days' notice to that effect from the Chairman unless the Chairman considers it necessary in any particular case or cases to extend the period.

Contraventions of Bye-laws to be amended.

In every case where a person who shall erect a building shall at any reasonable time during the progress or after the completion of the erection of such building, receive from the Chairman notice in writing, specifying any matters in respect of which the erection of

such building may be in contravention of any Bye-law relating to new buildings and requiring such person within a reasonable time which shall be specified in such notice, to cause anything done or which has been omitted to be amended or done in conformity therewith.

Such person shall, within the time specified in such notice, comply with the several requirements thereof so far as such requirements relate to matters in respect of which the erection of such building may be in contravention of any such Bye-law.

Notice of completion of amendments.

Such person within a reasonable time after the completion of any work which may have been executed in accordance with any such requirement shall deliver or send, or cause to be delivered or sent, to the Chairman at his office, notice in writing of the completion of such work.

Notice of completion of buildings.

Every person, who shall erect a building, shall, within one month after the completion of the erection of such building, deliver or send, or cause to be delivered or sent, to the Chairman at his office, notice in writing of the completion of the erection of such building.

In the proposed new extensions and in all the localities of the City where having regard to the attendant circumstances, it is possible, every new domestic building that is to be constructed shall be in communication with the external air all round the building.

Any person who shall be given a new building license in satisfaction of the aforesaid Bye-laws, and shall leave the same incomplete for any length of time exceeding six months, shall be obliged on being served with a notice to finish and complete the building within a reasonable time to be fixed by the Trustees, for completion of the same. In default, the Trust shall be competent to finish the building at the owner's risk and cost and to recover the cost of such work or to have the aforesaid building demolished.

Any person who may be called upon by the Trustees to modify, alter or ventilate his building with a view to improved ventilation or sanitation shall do so within a month from the date of notice from the Chairman calling upon him to do so, or such further period as in regard to the circumstances of the case the Chairman may deem proper to fix.

Penalties.

Every person who shall commit any breach of any of the foregoing Bye-laws shall be punishable with fine which may extend to Rs. 20 and in the case of a continuing breach with fine which may extend to Rs. 10 for every day after conviction for the first breach, during which the breach continues or after receipt of written notice from the Chairman to discontinue the breach.

Evidence of exercise of powers, duties, or functions.

Whenever, under any of the foregoing Bye-laws, the doing or the omitting of doing a thing or the validity of anything depend on the sanction, permission, approval, order, direction, requisition, notice or satisfaction of the Chairman, a written document signed by the Chairman purporting to convey, or set forth his sanction, permission, approval, order direction, requisition, notice or satisfaction, shall be sufficient *prima facie* evidence of such sanction, permission, approval, order, direction, requisition, notice or satisfaction.

In all cases in which under these Bye-laws dimensions are prescribed, the Chairman shall have power on application being made to that end to permit of such dimensions being modified.